

*The Commonwealth of Massachusetts*  
*Department of the State Treasurer*  
*Alcoholic Beverages Control Commission*  
*Boston, Massachusetts 02114*

*Steven Grossman*  
*Treasurer and Receiver General*

*Kim J. Gainsboro, Esq.*  
*Chairman*

**DECISION**

**OM CORPORATION DBA SOUTH UNION MARKET**  
**280 SOUTH UNION ST**  
**LAWRENCE, MA 01843**  
**LICENSE#: 059400189**  
**HEARD: 07/31/2012**

Om Corporation dba South Union Market (the "Licensee") holds an alcohol license issued pursuant to M.G.L. c. 138, §15. The Alcoholic Beverages Control Commission (the "Commission") held a hearing on Tuesday, July 31, 2012, regarding an alleged violation of 204 CMR 2.05(2), to wit: c.138, §34. Prior to the commencement of the hearing, the licensee stipulated to the violation alleged in Investigator Bailey's Compliance Check Field Report.

The following documents are in evidence:

1. Licensee's Stipulation of Facts; and
2. Investigator Bailey's Compliance Check Field Report dated May 9, 2012.
  - A. Poster, "Younger than 27? Have ID Ready";
  - B. Posters on Counter of Licensed Premises re: carding;
  - C. Photo of ID Poster at Register;
  - D. Close-up Photo of Clerk with Carding Posters; and
  - E. Photo of Second Register with Carding Poster.

There is one (1) audio recording of this hearing.

**FACTS**

1. On Wednesday, May 9, 2012, at approximately 7:33 p.m., Investigators Doyle and Bailey conducted an investigation of the business operation of Om Corporation dba South Union Market.
2. An underage operative working with investigators purchased an alcoholic beverage, a twelve ounce (12 oz.) bottle of Budweiser beer, for one dollar and seventy-five cents (\$1.75). The underage operative was not asked for identification.

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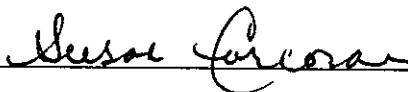
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CONCLUSION

Based on the evidence, the Commission finds the licensee violated 204 CMR 2.05 (2), to wit: M.G.L. c. 138, §34. Therefore, the Commission **suspends the license for three (3) days of which three (3) days will be held in abeyance for a period of two (2) years provided no further violations of Chapter 138 or Commission Regulations occur.**

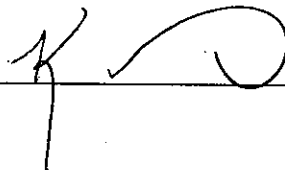
**ALCOHOLIC BEVERAGES CONTROL COMMISSION**

Susan Corcoran, Commissioner



I, the undersigned, hereby certify that I have reviewed the hearing record and concur with the above decision.

Kim S. Gainsboro, Chairman



Dated: August 1, 2012

You have the right to appeal this decision to the Superior Courts under the provisions of Chapter 30A of the Massachusetts General Laws within thirty (30) days of receipt of this decision.

cc: Local Licensing Board  
Frederick G. Mahony, Chief Investigator  
Rose Egan-Bailey, Investigator  
Brad Doyle, Investigator  
Administration  
File